

**** E-filed December 14, 2009 ****

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Attorneys for Defendant ACER AMERICA CORPORATION

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SAN JOSE DIVISION

KEVIN EMBRY, an individual, on behalf of
himself, the general public and those similarly
situated

Plaintiff,

v.

ACER AMERICA CORPORATION; AND
DOES 1 THROUGH 50

Defendants

CASE NO. CV-09-01808 (JW) (HRL)

**STIPULATION TO CONTINUE THE
HEARING ON PLAINTIFF'S MOTION
TO COMPEL**

Current Hearing Date: December 22, 2009

Requested Hearing Date: January 26, 2010

Discovery Matter

1 TO THE COURT AND ALL PARTIES,

2 WHEREAS Plaintiff Kevin Embry has filed a motion to compel further responses to its
3 discovery requests,

4 WHEREAS the hearing on the motion to strike is set for December 22, 2009,

5 WHEREAS, in light of defense counsel's holiday schedule, the parties wish to continue
6 the hearing date on the motion,

7 THE PARTIES HEREBY STIPULATE AND AGREE that the hearing on the motion to
8 compel should be continued to January 26, 2010.

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10 DATED: December 14, 2009

GUTRIDE SAFIER LLP

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12 By: /s/

Seth A. Safier
Attorneys for Plaintiff
Kevin Embry

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15 DATED: December 14, 2009

16 QUINN EMANUEL URQUHART OLIVER &
17 HEDGES, LLP

18 By: /s/

Jeffery D. McFarland
Attorneys for Defendant ACER AMERICA
19 CORPORATION

20
21 FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

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23 DATED: December 14, 2009


24 Honorable Howard R. Lloyd
25 United States Magistrate Judge
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